

**REMARKS**

Favorable reconsideration of the present application is respectfully requested. Claims 1-14 have been canceled and Claims 20, 25, 26 and 28 have been amended. Accordingly, Applicants believe that the claims as now presented are clearly allowable.

Applicants would like to thank the Examiner for the courtesies extended to Applicants' Representatives in a telephone interview on March 31, 2005, and in a personal interview on April 21, 2005. In accordance with MPEP §713.04, submitted concurrently herewith is a Statement of Substance of Interview for each interview.

Applicants have submitted a new Abstract to more closely describe the remaining enclosed claims.

Applicants would like to thank the Examiner for indicating in the April 6, 2005, Office Action, that Claims 20-23, 25, 26, 28, 31 and 32 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the April 6, 2005, Office Action, Claims 1, 2, 7 and 12 and Claims 15-18, 24, 27, 29,30 and 33 were separately rejected under 35 USC 102(e) as being anticipated by a patent to Miller (US 6,737,029). These rejections are respectfully traversed.

Regarding Claims 1, 2, 7, 12, 15-18, 24, 27, 29, 30 and 33, the earliest possible effective date of the Miller patent (filed on August 20, 2002) as a citable reference under 35 U.S.C. § 102(e) is the date of its provisional application filing, i.e., December 7, 2001, to which a claim of priority is made in the Miller patent. This of

course assumes, *arguendo*, that the provisional application contains an enabling disclosure of the invention described and claimed in the Miller patent. Regardless, Applicants submit concurrently herewith, as an attachment to this Amendment and Response, a Joint Declaration Under 37 CFR §1.131(a) to remove the Miller patent as a reference.

The facts set forth in the Declaration clearly establish that the Applicants' invention as presently claimed was reduced to practice in the United States and an embodiment as claimed in the present application was completed, sold and installed by Applicants at a customer site in the United States prior to the December 7, 2001, effective date of the Miller patent and less than one year before the filing of the present application. Therefore, the Miller patent is not citable as prior art against the claims under examination, the invention was not in use or on sale more than one year before the filing date of the present application, and withdrawal of the rejections of Claims 1, 2, 7, 12, 15-18, 24, 27, 29, 30 and 33 under Section 102(e) based on the Miller patent is respectfully requested. Accordingly, Claims 15-33 are now believed to be allowable.

Applicants have rewritten Claim 20 in independent form to include the claim recitations from Claims 15 and 16 from which it depended, and Claim 28 in independent form to include all of the recitations from original Claim 15 from which it directly depended. Accordingly, new independent Claims 20 and Claim 28, and the claims that depend, respectively, therefrom, are also allowable.

In addition, in the April 6, 2005, Office Action, Claims 1-14, were variously rejected under 35 USC §§ 102(b) and 103(a) in view of several newly cited patents and/or patent combinations.

Without acceding to the rejections and to expedite prosecution and issuance of the Claims indicated to be allowable, Claims 1-14 have been canceled to render the above-noted rejections moot. However, Applicants reserve the right and intend to file a continuation application to at least pursue the scope in now canceled Claims 1-14. Accordingly, the Examiner is respectfully requested to withdraw the §§102(b) and 103(a) rejections of Claims 1-14.

Therefore, all of the grounds of rejection under 35 U.S.C. §§ 102(b), 102(e) and 103(a) and objections are believed to be moot and/or overcome and withdrawal of the rejections and objections is respectfully requested. Accordingly, all of the currently pending claims are believed to be in condition for allowance and the Examiner is respectfully requested to issue a Notice of Allowance to that effect.

Respectfully submitted,

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